

REMARKS

None of the claims have been amended or cancelled. Claims 1 and 2 are pending and under consideration. Claim 1 is the independent claim. No new matter is presented in this Amendment.

ALLOWABLE SUBJECT MATTER:

Claims 1-2 would be allowable over the prior art.

DOUBLE PATENTING:

Claims 1-2 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-15 of Copending application No. 10/828,326.

Applicants submit herewith a Terminal Disclaimer with respect to U.S. Patent Application No. 10/828,326. In view of the above, it is respectfully submitted that the rejection of claims 1 and 2 is overcome.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 10/01/08

By: Douglas Rodriguez
Douglas X. Rodriguez
Registration No. 47,269

1400 Eye St., N.W.
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510